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05 January 2021

VIA ECF

Hon. Vernon S. Broderick
United States District Judge
Thurgood Marshall
United States Courthouse
40 Foley Square
Room 415
New York, NY 10007

**APPLICATION GRANTED
SO ORDERED** 
VERNON S. BRODERICK
U.S.D.J. 1/8/2021

Defendants' motion to dismiss, (Doc. 9), is deemed moot without prejudice to refile a new motion to dismiss. Defendants shall refile their new motion to dismiss on or before January 15, 2021.

Re: Case 1:20-cv-07987-VSB Ningbo Relynda Import & Export, Co., LTD v. Lynn Brands LLC et al.

Honorable Sir:

This firm represents the Defendants in the above-referenced matter. Reference is made to the Court's Order dated 29 December 2020 (Docket 14) wherein the Court ordered the Defendants to file a letter indicating whether the Defendants would prefer to have the Court evaluate Defendants' Motion to Dismiss (Docket 9-11) in light of the newly alleged facts in the amended complaint (Docket 13) or whether the Defendant's Motion to Dismiss should be deemed moot without prejudice to refile a new motion or otherwise plead in accordance with Federal Rule of Civil Procedure 15(a)(3).

Defendants have elected to refile the Motion to Dismiss or otherwise plead. Under the current schedule, such response would be due on or before 11 January 2021. Plaintiff's counsel has agreed to briefly extend that response date until 15 January 2021. Accordingly, Defendants respectfully request that the Court extend Defendants' time to refile the Motion to Dismiss or otherwise plead until 15 January 2021.

Should the Court require anything further to effectuate the foregoing, do not hesitate to have a member of your staff contact Defendants' counsel.

Respectfully submitted,



Michael J Sheppard